

App. No.: 10/765,293
Response to Office Action dated April 5, 2005
Amendment dated July 5, 2005

REMARKS/ARGUMENTS

Responsive to the Office Action of April 5, 2005, Applicants submit the foregoing amendments and the following arguments.

Claim rejections under 35 USC § 112

Responsive to the rejection of claims 6 and 13 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, Applicant submits that claims 1 and 8 have been amended to clarify that the independent claims simply provide for the gases to enter the apparatus, so that claims 6 and 13 are now definite.

Claim rejections under 35 USC § 102

Responsive to the rejections under 35 U.S.C. §102(a)(e) over Henderson et al. (US 2004/0011385), Applicants have amended claims 1 and 8. Further, with regards to Henderson, Applicants submit that only N₂, argon gas (Ar) and He are disclosed as an inert gas for mixing with reactive gases. In the present invention NO and N₂O are used as a second cleaning gas mixed with the first cleaning gas.

Accordingly, Applicants believe that the claim rejections can be overcome in view of amended claims 1 and 8.

Claim rejections under 35 USC § 103

Responsive to the rejection of claims 5 and 12 under 35 U.S.C. §103(a) over Henderson, Applicants submit that a “flow rate” is not the result effective parameter. In addition, Applicants state that the flow rate between two gases determines a composition ratio of a mixture of the two gases, and the characteristics of the mixture depend on the composition ratio.

Moreover, Applicant contends that even though claims 5 and 12 are allowable based on the amendments to claims 1 and 8, Henderson has no teaching or suggestion regarding the use of NO or N₂O, nor to regulating the flow rate based on a ratiometric measurement. While the

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present disclosure illustrates the utility of using flow rates to regulate the provision of cleaning gases within ratiometric ranges, Henderson controls no teaching or suggestion, nor does an artisan have any motivation for such regulation.

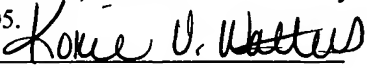
CONCLUSION

Applicant believes that the application, as amended, is now in allowable form and action toward that end is respectfully requested. If any issues remain, the Applicant respectfully request Examiner Kornakov for an interview by telephone. Examiner Kornakov is invited to call the undersigned attorney at (317) 237-1029.

Applicant also believes that no fees are due in connection with this correspondence. However, the Commissioner is hereby authorized to charge any fees not included herewith to Baker & Daniels Deposit Account No. 02-0390.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 5, 2005.


Korie V. Walters

Respectfully submitted,



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